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Alaska Native Tribal Health Consortium
Division of Environmental Health and Engineering
1901 South Bragaw Street, Suite 200
Anchorage, Alaska 99508-3440

Document Distribution

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Project No.: AN 05-GC9
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Execution Date: August 12, 2005

The individuals below were sent a copy of this document:

Jay DeLima, Mayor, City of Ruby
Environmental Health Director, TCC
Dan Williams, DEHE, Anchorage
Gregory McConnell, DEHE, Anchorage
Kim Baisch, DEHE, Anchorage
Diane Chris, DEHE, Anchorage
Rick Boyce, DEHE, Anchorage

cc: Program Services, DEHE, Anchorage

For additional information, please contact:

Deanza Hjalseth
1-800-560-8637, extension 3602

LR: 10/27/04



Division of Environmental Health and Engineering

Cooperative Project Agreement

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A Health Facility Improvement Project Between:
The Alaska Native Tribal Health Consortium and
The City of Ruby, Alaska
Project No. AN 05-GC9
July 2005

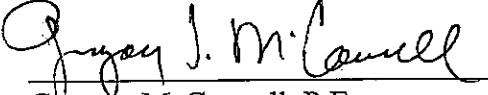
**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
CITY OF RUBY, ALASKA**

PROJECT NO. AN 05-GC9

To complete this project, ANTHC and the City of Ruby mutually agree to the terms and conditions contained in this Agreement.

RECOMMENDED BY:

8/8/05
Date



Gregory McConnell, P.E.
Project Manager
DEHE, ANTHC

RECOMMENDED BY:

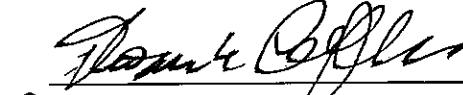
8/18/05
Date



Daniel H. Williams, P.E.
Regional Manager
DEHE, ANTHC

APPROVED BY:

8/12/05
Date



Paul Sherry
Chief Executive Officer
ANTHC

APPROVED BY:

8/10/05
Date



Jay DeLima
Mayor
City of Ruby

**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
CITY OF RUBY, ALASKA**

PROJECT NO. AN 05-GC9

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**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
CITY OF RUBY, ALASKA**

PROJECT NO. AN 05-GC9

**DATE OF AGREEMENT:
July 2005**

A. INTRODUCTION

Throughout this Cooperative Project Agreement (CPA) the following entities are referred to as follows:

City of Ruby	=	City
Alaska Native Tribal Health Consortium	=	ANTHC
Division of Environmental Health and Engineering	=	DEHE
Denali Commission	=	Commission

The ANTHC, DEHE, role is to provide sustainable environmental health solutions in partnership with the people it serves to create healthy and safe Native communities.

This CPA contains information about the project scope of work, funding, costs, and administration, and is being performed under the provisions of the following agreements:

- Memorandum of Understanding Between the Denali Commission and the Alaska Native Tribal Health Consortium for Alaska Health, Sanitation, and Other Related Infrastructure, dated September 2004. This MOU defines the roles and responsibilities of each party.
- Denali Commission Financial Assistance Award Project No. 182-05, dated July 2005.

B. SCOPE OF PROJECT

This project will complete the construction and equipping of a washeteria; the construction/equipping phase began under ANTHC Project Nos. AN 01-Q40, AN 04-CE5 and AN 04-N75.

C. PROJECT COST

C 1. Cost Estimate Table

Job Type	Scope of Work	Qty	Units	Unit Cost	Central Oper. 8%*	Total Cost	Funding Source
							Denali FY05
C-WA	Complete washeteria construction and equipping	1	LS	509,259	40,741	550,000	550,000
C-WA	Equip washeteria with fire suppression system	1	LS	32,407	2,593	35,000	35,000
Total Award				\$585,000		\$585,000	

*Central operations expenses pay for ANTHC engineering technicians, drafting services, surveying, financial support, shipping and receiving staff support, and those services in direct support of force account type construction or ANTHC contract management.

C 2. Project Funding

Contributor	Fiscal Year	Description	Amount
<u>Denali Commission</u>	<u>Federal 2005</u>	<u>NA</u>	<u>\$ 585,000</u>
TOTAL PROJECT FUNDING			<u>\$ 585,000</u>

Denali Commission funding for this health facility improvement project has been made available to ANTHC through a separate Financial Assistance Award (FAA), or amendment or addendum to an existing FAA, between the Denali Commission and ANTHC. It is understood that funding transfers will be made to ANTHC incrementally. Project activities should not proceed until funding for each increment of work is available to ANTHC.

D. PROJECT ADMINISTRATION

The following project management methodology option has been selected by the City of Ruby:

Construction shall be accomplished by ANTHC or its Contractor. ANTHC shall take responsibility for all project oversight, technical assistance, and management of the construction process. Project construction shall be through ANTHC force account construction method.

This Agreement shall take effect upon signature by all parties and remain in effect until the expiration of the "Performance Period" specified within the Commission's Financial Assistance Award or subsequent amendment(s) or addendum(s).

E. SUSTAINED OPERATIONS CONSIDERATIONS

The City of Ruby will assume ownership and responsibility for operating and maintaining equipment or facilities provided by this project.

F. AUTHORITY FOR APPROVAL

Upon signing this document, the ANTHC Chief Executive Officer delegates authority to sign all subsequent agreements related to this project to the Director of Regional Facilities Services, DEHE.

G. PROVISIONS FOR PROJECT COMPLETION

The following sections from the ANTHC, DEHE, Cooperative Project Agreement Provisions Manual for Health Facilities Projects (Orange Book), dated June 2003, are incorporated into this Agreement by reference. For the purposes of this Agreement, all references to "Local Participant" shall mean the City of Ruby.

- Section 1, "Provisions for All Cooperative Project Agreements"
- Section 2, "Provisions for ANTHC Management of Local Force Account Labor"
- Section 5, "Insurance and Indemnification Provisions for Force Account Labor Projects Managed by ANTHC or the Local Participant"
- Section 6, "Assurances for All Construction Programs" (Standard Form 424D)

The following federal provisions apply to this project:

- 15 CFR 24, Uniform Admin Requirements for Grants/Cooperative Agreements to State and Local Governments
www.access.gpo.gov/nara/cfr/waisidx_99/15cfr24_99.html
(applies to local or tribal government)
- OMB Circular A-87, Cost Principles for State and Local Governments and Indian Tribal Governments www.whitehouse.gov/OMB/circulars/a087/a087-all.html
(applies to local or tribal government)
- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations www.whitehouse.gov/OMB/circulars/a133/a133.html
(applies to all Agreements)
- 15 CFR, Part 14, Uniform Administrative Requirements for Grants and

Agreements with Institutions of Higher Education, Hospitals, Other Nonprofit, and Commercial Organizations

<www.access.gpo.gov/nara/cfr/waisidx_99/15cfr14_99.html>

(applies to non-profits)

- OMB Circular A-122, Cost Principles for Nonprofit Organizations
<www.whitehouse.gov/OMB/circulars/a122/a122.html> (applies to non-profits)

APPENDIX

Final Environmental Review Memorandum
Health Care Facilities Environmental Information and Documentation



ALASKA NATIVE TRIBAL HEALTH CONSORTIUM
Division of Environmental Health & Engineering
1901 South Bragaw, Suite 200
Anchorage, Alaska 99508-3440

MEMORANDUM

DATE: June 2005
FROM: Heritage and Environmental Consultant
SUBJECT: City of Ruby, Final Environmental Review
Project No. AN 05-GC9
TO: FOR THE RECORD

Based upon the scope for this project, an environmental review in accordance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) has been completed. The Alaska Native Tribal Health Consortium (ANTHC) has considered all potential environmental concerns (specific and cumulative effects) associated with the project in consultation with applicable federal, state, and local authorities. The Environmental Review Report has been completed and reviewed with respect to the proposed health facilities construction and is attached to this Memorandum.

FINDINGS

This environmental review finds that no further environmental investigation is necessary. All actions involving construction have been reviewed and no extraordinary or exceptional circumstances were found to exist. It is therefore recommended that the Denali Commission approves a determination of eligibility for categorical exclusion from the requirement to conduct further environmental evaluation for this project. Current IHS policy (Federal Register, Vol. 58, No. 3, January 6, 1993, pp. 569-572) allows for categorical exclusion of health and sanitation facility projects that do not have a significant impact on the environment, as determined by the attached "Environmental Review and Documentation."

BACKGROUND

Ruby is located on the south bank of the Yukon River, in the Kilbuck-Kuskokwim Mountains. It is about 50 air miles east of Galena and 230 air miles west of Fairbanks. Ruby lies adjacent to the Nowitna National Wildlife Refuge. It lies at approximately 64.739440° North Latitude and -155.48694° West Longitude. (Sec. 04, T009S, R017E, Kateel River Meridian.)

ENVIRONMENTAL RESOURCES OF IMPORTANCE

This project will complete a washeteria in Ruby, Alaska. An archaeological survey has been performed and the State Historic Preservation Officer has concurred that no historic properties will be affected. There is no critical habitat in Ruby for threatened or endangered species, and there are no environmental resources of importance identified that might sustain direct adverse impacts as a result of this project.

SCOPE OF WORK

This project will complete the construction and equipping of a washeteria; the construction/equipping phase began under ANTHC Project Nos. AN 01-Q40, AN 04-CE5 and AN 04-N75.

PROPOSED MITIGATION MEASURES

Given the environmental review performed by the ANTHC, no mitigation activities are proposed for this project.

SUMMARY

In the event that the ANTHC becomes aware of any other unforeseen discovery, which could change the environmental determination, the appropriate authority will be notified to develop an acceptable course of action prior to resuming construction activities in the impacted area.

With the scope of work outlined for this project, the ANTHC has completed the environmental review. If the scope of work is changed in the future, then the ANTHC will revisit this environmental review to determine if potential environmental concerns have been addressed.

Chris Campbell
Chris Campbell

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Page 1 of 10

Facility: Washteteria Location: Ruby, Alaska
 Project Description: Construction

Category	Determination (Yes or No)	Basis for Determination (Documentation, see last page)
PART I.		
1. Does this project include construction or lease of new facilities which will total more than 1080 square meters (12,000 square feet)? (Include portable facilities and trailers.)	No	Printed Materials—The proposed sanitation facility in Ruby, Alaska will total less than square feet.
2. Does this project involve the construction or lease of new facilities on more than 2 hectares (5 acres) of land?	No	Printed Materials – Less than 2 hectares (5 acres) will be involved in the proposed Ruby, Alaska facility.
3. <u>Historic Preservation:</u> Will the proposed project construction or renovation adversely affect properties listed, or eligible for listing, on the National Register of Historic places (buildings, archaeological sites, objects of significance)?	No	No historic properties eligible or on the National Register of Historic Places will be adversely impacted by the construction of washeteria in Ruby, Alaska. The State Historic Preservation Officer has been consulted for concurrence with this finding.
If a property is more than 50 years old and no determination of eligibility was done, the agency <u>must</u> evaluate and nominate the facility. Contact the State Historic Preservation Officer (SHPO) and document the contact and SHPO response.		

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, <i>see last page</i>)
<p>4. Will the proposed project construction or renovation violate local, state, or federal law on the use and storage of hazardous substances or the transportation, storage, and disposal of hazardous wastes or medical wastes?</p> <p>(Activities that generate those items include renovations, new construction, air conditioning repair and service, pesticide application, motor pools, automobile repair, welding, landscaping, agricultural activities, print shops, hospitals, clinics, medical centers, etc. Repair, renovation, or demolition activities can generate waste that has asbestos-containing materials, asbestos, lead-based paint, PCBs, CFCs, etc.)</p>	No	Printed Materials – The proposed project in Ruby, Alaska does not violate local, state, or federal law on the use and storage of hazardous substances or the transportation, storage, and disposal of hazardous wastes or medical wastes.
<p>5. Will the project result in a known violation or continuance of a violation of applicable (Federal, Tribal, State or Local) law or requirements imposed for protection of the environment or public health and safety?</p> <p>REFERENCE: National Environmental Policy Act of 1969/FR Vol. 58, No.3, K.1., K.2.</p>	No	Printed Materials – The project will be in compliance with all applicable laws and requirements and will have the appropriated regulatory approvals.

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Page 3 of 10

Facility: Washeteria AN 05-GC9Project Description: ConstructionLocation: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, see last page)
6. Will the proposed project or construction or renovation result in a conflict with existing or proposed state, federal and local land use plans?	No	Printed Materials – The project site is not zoned. The Ruby, Alaska City and/or Traditional Councils have identified this project as an essential community facility.
7. Is the project significantly greater in scope than normal projects for the area or does the project have significant unusual characteristics?	No	Printed Materials – The proposed project in Ruby, Alaska is typical in scope in comparison with ANTHC health facility improvement projects in rural Alaska and has no unusual, significant characteristics.
REFERENCE: National Environmental Policy Act of 1969/FR Vol. 58, No.3, K.11.		
8. Does the project have significant adverse direct or indirect effects on parklands, other public lands, or areas of recognized scenic or recreational value?	No	Printed Materials – Alaska Wildlife Refuges, U.S. Fish and Wildlife Service. The community of Ruby, Alaska is not located in the vicinity of parklands, other public lands, or areas of recognized scenic or recreational value.
REFERENCE: National Environmental Policy Act of 1969/FR Vol. 58, No.3, K.5.		

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, <i>see last page</i>)
9. Is there a controversy with respect to environmental effects of the project based on reasonable and substantial issues?	No	Signature of the CPA denotes there is no controversy associated with this project.
REFERENCE: National Environmental Policy Act of 1969/FR Vol. 58, No.3, K.3.		
10. Does the project establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? (cumulative impact based on current information)	No	Printed Materials— The facility construction project in Ruby, Alaska is not anticipated to result in any cumulative impacts that will result in degradation of environmental concerns as outlined in NEPA.
REFERENCE: National Environmental Policy Act of 1969/FR Vol. 58, No.3, K.6.		
11. Does the project involve the use, transfer or lease of real property which has been used as a storage for hazardous waste and/or petroleum products or their derivatives for more than one year?	No	Personal contact – The project engineer, in consultation with the City of Ruby, Alaska confirms that real property associated with the health facility project in Ruby, Alaska has not been associated with the use, transfer, or lease as storage for hazardous waste for more than one year.
REFERENCE: Comprehensive Environmental Response, Compensation and Liability Act of 1980/FR Vol. 58, No.3, K.10.		
PART II		

Version – July 24, 2001

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination <i>(Documentation, see last page)</i>
12. Will the proposed project construction or renovation require major sedimentation and erosion control measures? (e.g.; construction or expansion of a parking lot)	No	Printed Material- The proposed facility project will be constructed in an area which does not affect soil erosion or sedimentation.
13. Will the proposed project construction or renovation adversely affect community noise levels?	No	Printed Material – This project will not affect community noise levels because no blasting will occur and heavy equipment use will be limited to the daytime.
14. Will the proposed project construction or renovation adversely affect community air pollution?	No	Printed Material – The proposed facility project in Ruby, Alaska will not adversely affect air pollution. The project is located in an unclassified area with no identified air pollution problems and it will have minor to no effect on local air quality.
15. Will the proposed project construction or renovation create a need for additional capacity in educational facilities?	No	Printed materials- The proposed facility project at Ruby, Alaska will not affect any need for additional capacity in educational facilities.
16. Will the proposed project construction or renovation create a need for additional capacity in health care facilities and for health care services?	No	Printed Materials – The proposed facility project is not anticipated to create a need for additional capacity in health care facilities and for health care services because it will not affect community population levels.

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, <i>see last page</i>)
17. Will the proposed project construction or renovation create a need for additional energy supply or generation?	No	Printed materials – The proposed facility project will not generate any additional sewage than the existing facility because it will not affect community population levels.
18. Will the proposed project construction or renovation create a need for additional capacity at solid waste disposal facilities?	No	Printed materials – The proposed facility project will not generate any additional solid waste than at present in Ruby, Alaska, and will not affect the capacity of the community's wastewater treatment facilities.
19. Will the proposed project construction or renovation create a need for additional capacity at wastewater treatment facilities?	No	Printed materials – The proposed facility project will not generate any additional solid waste than at present in Ruby, Alaska, and will not affect the capacity of the community's wastewater treatment facilities.
20. Will the proposed project construction or renovation create a need for/or require a storm water control plan? (e.g.; parking lots. Contact local or state authorities, or EPA to determine if your facility or project is in a regulated storm water area.)	No	Printed materials – The proposed facility project will be extremely limited in overall surface area, and is not expected to significantly affect storm water control in Ruby, Alaska. Storm drainage will be directed away from the building and parking areas. The project is outside of a regulated storm water area.
21. Will the proposed project construction or renovation create a need for additional drinking water supply?	No	Printed materials – The proposed facility project will not create a need for additional drinking water supply as the same population will continue to be served as previously.

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, <i>see last page</i>)
22. Will the proposed project construction or renovation create a need for additional capacity in transportation systems?	No	Printed materials – The proposed facility project in Ruby, Alaska will serve the same population in a community lacking a transportation system.
23. Are there other considerations about the proposed project construction or renovation that could adversely affect the environment and/or public health and safety?	No	Printed materials – The proposed facility project in Ruby, Alaska is not anticipated to adversely affect the environment and/or public health and safety. No toxic building materials will be utilized.
PART III		
24. <u>SAFE DRINKING WATER ACT:</u> Will the project impact a sole source aquifer?	No	Personal Contact – Letter on file from Michael Crotteau, Alaska Department of Environmental Conservation August 1999.
REFERENCE: Safe Drinking Water Act of 1974/FR Vol. 58, No.3, K.5.		There are no designated sole source aquifers in Alaska.

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, see last page)
25. FLOODPLAINS: Will the project involve construction in a floodplain (except for actions excluded as a class) or impact floodplain development? REFERENCE: Executive Order 11988 and related Acts and Executive Orders/FR Vol.58, No.3, K.5, K.9.	No	Although Ruby, Alaska lies in a floodplain, and facility construction is in a floodplain, it will be conducted in accordance with class action requirements (IHS Environmental Review Manual 2.2.3:18) and work will not adversely affect Floodplain development. There are no flood plain maps available for the community and the community does not participate in the National Flood Insurance Program.
26. WETLANDS/WATER RESOURCES: Will the project adversely affect wetlands/water resources or will there be construction in wetlands, except in conformance with a Corps of Engineers Section 404 Permit? REFERENCE: Executive Order 11990 and related Acts and Executive Orders/FR Vol. 58, No.3, K.5.	No	Printed materials – All construction will be done upon consultation with the US Army Corps of Engineers (COE) and in conformance with any requisite COE permit.

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, see last page)
27. <u>Coastal Zone Management:</u> Will the proposed project construction or renovation directly affect a Coastal Zone in a manner inconsistent with the State Coastal Zone Management Plan? (Each coastal state should have a state office to manage its coastal zone development and use. All federal projects in the coastal zone must comply with the management plan.)	No	A Coastal Zone Questionnaire will be submitted by Ruby, Alaska.
28. <u>WILD AND SCENIC RIVERS ACT:</u> Is the project a "Water Resources Project" which will impact a wild, scenic or recreational river area and create conditions inconsistent with the character of the river?	No	Printed Materials – <i>Wild and Scenic Rivers (Alaska) List</i> , National Wild and Scenic Rivers System, National Parks Service.
REFERENCE: Wild and Scenic Rivers Act of 1968 and related Executive Actions/FR Vol. 58, No.3, K.5.		The community of Ruby, Alaska is not located on a Wild or Scenic River.
29. <u>FARM LAND PROTECTION ACT:</u> Will the project convert significant agricultural lands to non-agricultural uses?	No	Personal Contact – Letter on file from Steve Tiokett, Alaska Department of Natural Resources, July 1999.
REFERENCE: Farmland Protection Policy Act of 1981 and related Acts and Executive Orders/FR Vol. 58, No.3, K.5.		The community of Ruby, Alaska is not located within an identified significant agricultural area.

HEALTH CARE FACILITIES ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Facility: Washeteria AN 05-GC9

Project Description: Construction

Location: Ruby, Alaska

Category	Determination (Yes or No)	Basis for Determination (Documentation, see last page)
30. WILDERNESS ACT: Will the project adversely impact a wilderness area? REFERENCE: Wilderness Act of 1964/FR Vol. 58, No.3, K.5.	No	Printed Materials – Great Outdoor Recreation Pages, Alaska Wilderness Area List. The community of Ruby, Alaska is not located in a designated wilderness area.
31. ENDANGERED SPECIES ACT: Is the project likely to adversely affect a species listed on the Federal List of Endangered or Threatened Species or the specific critical habitat? REFERENCE: Endangered Species Act of 1973, as amended/FR Vol. 58, No.3, K.8.	No	Printed Materials – <i>Endangered, threatened and candidate species in Alaska</i> , U.S. Fish and Wildlife Service, December 2000. This project will not be taking place in the vicinity of a critical habitat of an endangered species.

I certify that to the best of my knowledge and ability the information presented herein is true and correct.


Amy M. Gruel
Signature, ANTHC Project Manager

8/3/05

Date


Chris Carroll
Signature, ANTHC Environmental Review Officer

8/19/05

Version – July 24, 2001